



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: ST. DENIS
Serial No.: 09/808,170
Filed: March 15, 2001
For: METHOD AND APPARATUS FOR LOCATION DEPENDENT ...
Group: 2157
Examiner: TODD, Gregory G. DOCKET: GSH 08-890794

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 CFR 1.131 OF PRIOR INVENTION IN A
WTO MEMBER COUNTRY TO OVERCOME A CITED PATENT REFERENCE**

Dear Sir:

The undersigned, being the named inventor of the subject application, declares and states the following:

(1) I conceived of and completed the invention described and claimed in the subject application, in Canada, prior to March 14, 2000, the U.S. filing date of the Koza U.S. Patent 6,767,284 cited in the Office Action mailed December 1, 2004 in the above matter.

(2) As proof thereof, I provide the following:

(a) Exhibit A, which is a full and complete copy of a draft patent application describing my invention which was prepared by my Canadian patent agent on my instructions prior to March 14, 2000.


(b) The application was reviewed by me, and filed in the Canadian Patent Office, as Canadian Patent Application Serial No. 2,301,474, filed March 15, 2000.

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(3) The foregoing and attachments clearly show a date of conception and completion of the invention of this application all prior to the March 14, 2000 filing date of the Koza U.S. patent. Moreover, having conceived of the invention prior to March 14, 2000, I proceeded diligently to prepare a complete written disclosure of same and to then promptly file a patent application, initially in Canada, and thereafter, in the United States, covering the invention. At no time between my conception of the invention, and my filing of the subject U.S. Patent Application, did I ever intend to abandon the invention.

As the named inventor, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



DANNY ST. DENIS

Date May 26/05

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